



Friends in law?: The Complexities of Rights in International Wildlife Law

Katie Woolaston, Griffith Law Futures Centre

 @WildlifeLawIntl

What is Human-Wildlife Conflict?

“Human-wildlife conflict occurs when the needs and behavior of wildlife impact negatively on the goals of humans or when the goals of humans negatively impact the needs of wildlife.”

-World Parks Congress 2003



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NEWS

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Carly I. Leading | 22/08/2017



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western australia

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Clare Tennell and Gabrielle Knowles

perth now 25 SEPTEMBER 2016 6:06PM



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Incident is largest case of protected species' poisoning in state history, Victoria officials say

Harry Cockburn | Thursday 13 September 2018 09:36



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The Independent



Wildlife

More than 1,000 people killed in India as human and wildlife habitats collide

Elephant and tiger territories are shrinking as India's growing population encroaches on wild spaces causing an increase in fatalities

Associated Press in New Delhi

Tue 1 Aug 2017 17:38 BST



1,309 218

This article is over 1 year old



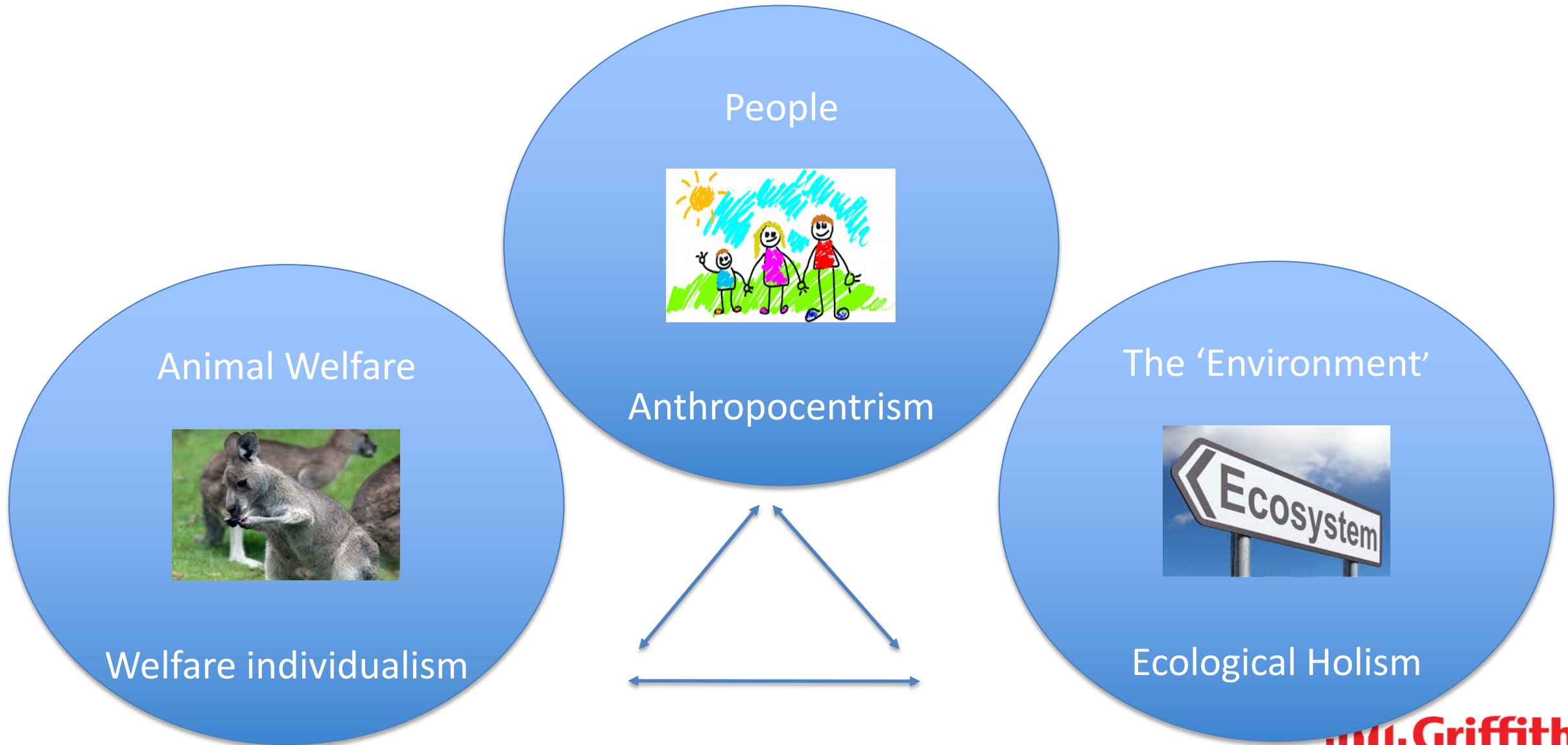
Over 1,000 people killed in India as human and wildlife territories meet/ing 1
A herd of wild elephants walks towards them looking for food in Kurum, about 45km east of

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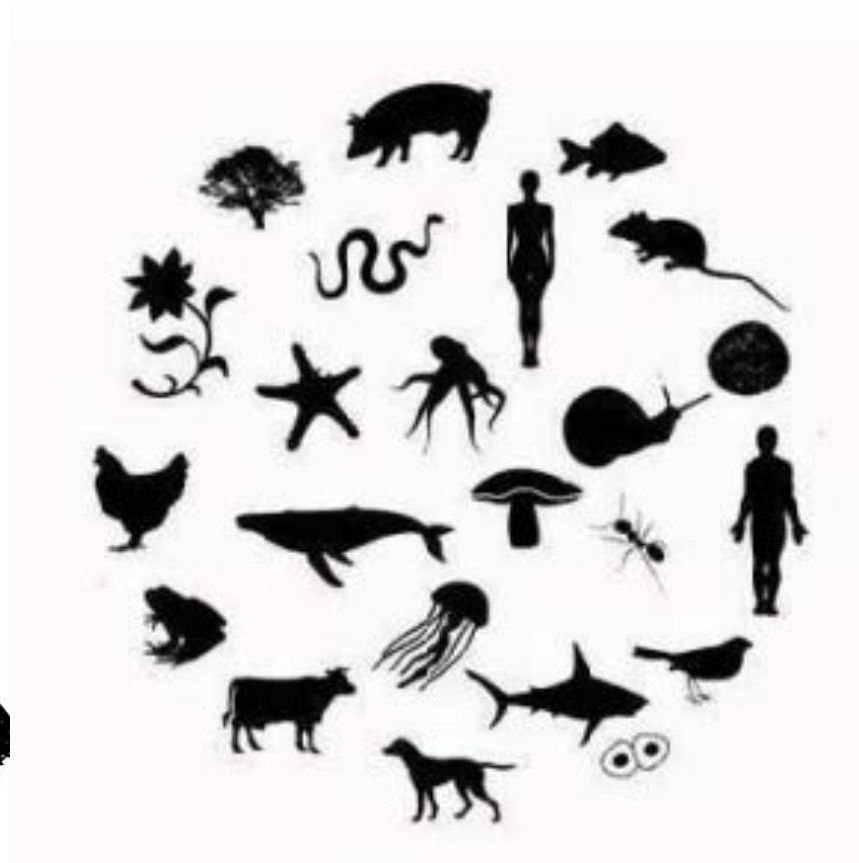
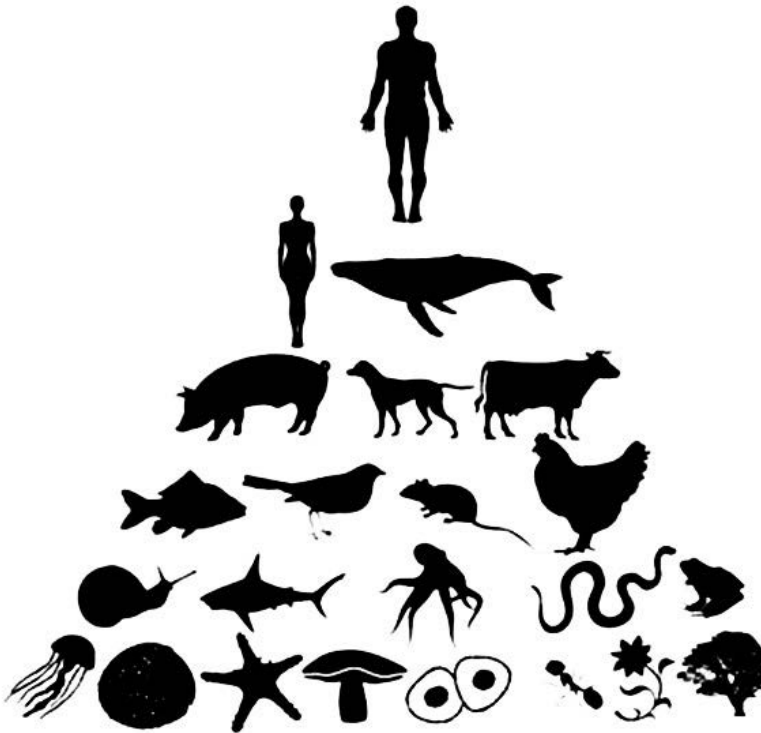
What is Human-Wildlife Conflict really about?

- Direct negative interaction between wildlife and people.
- A social conflict between people or groups of people with differing values towards wildlife and how they should be 'managed'.
- A conflict that goes beyond the particular interaction context and extends to values that are steeped in the history of place, culture and society.
- The conflict is 'embedded' in the historical, social & institutional circumstances in the locality and beyond.

Environmental Social Values



Environmental Social Values in International Environmental Law



A Particular Type of Anthropocentrism

- The anthropocentrism we are left with is a very specific type, based on individual autonomy and neoliberalism:
 1. The rights regime promotes a liberal, individualised agenda (the dominant paradigm).
 2. IEL has had to fit around this for reasons related to State sovereignty.
 3. 'Sustainable Development' has not been the balancing factor that was promised.
 4. Notions of intrinsic value have not been able to overcome the dominant paradigm.
- This means that the philosophy of IEL does not promote the security of all people, but only a select few who fit within that dominant paradigm.

Autonomy and the Rights Paradigm

1. The pursuit of liberal autonomy is central to the pursuit of human rights.
2. It is a discourse that seeks to give salvation from the same ills that created it.
3. International wildlife law also shores up the underlying structure the more it claims to be rectifying its deficiencies.

An Alternative?

1. From liberal rights and autonomy to *VULNERABILITY*
2. Autonomy is a myth.
3. Our embodied and embedded vulnerabilities are universal, as are those of the environment.
4. A focus on common vulnerability may be better basis to resolve CONFLICT.

Conclusions

- ‘The point of the legal realm is to deal with conflicting interests, and laws should be drafted to resolve conflicts between human interests and wildlife's living interest, either individually or in groups.’ (David Favre, 2010)
- We require a shift from rights and autonomy to a vulnerability discourse.

Thank you.

